

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(9)

5-25-00

CHARLES ISELEY,

Plaintiff,

v.

W. CONWAY BUSTEY, et al.,  
DefendantsCivil Action No.  
1:00-CV-00577

FILED

HARRISBURG, PA

MAY 24 2000

AFFIDAVIT  
MARY E. D'ANDREA, CLERK  
Deputy Clerk

I, Charles Iseley, hereby state under the penalty of perjury that the following is true and correct:

1. Approximately on ~~Feb 14~~ March 14, 2000, I was transferred from Mahanoy prison to Coal prison. Prior to the transfer I filled out a cash slip to have my personal property (including legal material) sent to Coal via mail.

2. The processing of my property was done by defendants Birosoak and Peck who informed me that I would be lucky if I ever got any of my property at all.

3. The shipping of property for a transfer of a prisoner usually takes a few days. However, it has now been a few months and I have yet to receive my property.

4. During the interim, while at Coal prison, I sent a prison grievance to defendant Potter and when no response was received I sent a letter to the warden at Mahanoy prison concerning the ignoring of my grievance but I never received a response from him.

5. I subsequently sent grievances to defendants Bitner and Horn who had authority to resolve the problem but they refused to assist ~~me~~ me.

6. I also had my family call Mahanoy prison about my property and they were told it would be sent but it was not.

7. I also had local prison employee call up Mahanoy about my property and they were told it would be sent but it was not.

8. I also contacted the defendants' attorney, Lewis, who informed me that she was told that my property was not sent because I had insufficient funds on my account at the time of my transfer and that I must send a cash slip to defendant Dotter to get my property.

9. Of course, Lewis lied because it is a fact that if a prisoner has insufficient funds on his account at the time of transfer his account is simply placed into a negative balance.

10. This has occurred to me several times. Specifically, it occurred when I was transferred from Greene prison to Albion prison and from Albion to Rockview prison and from Rockview to Mahanoy prison. In each instance my account had insufficient funds at the time of my transfer and yet my property was sent.

11. In addition, I had already filled out a cash slip to have my property sent and should not need to fill out another one.

12. Nevertheless, in an attempt to resolve the matter I filled out another cash slip and sent it to defendant Dotter and informed the defendants' attorney, Lewis, that if I did

not receive my property by May 22, 2000, I would petition the court to attempt to obtain my property and cease their allegedly illegal actions against me.

13. Nevertheless, I have yet to receive my property. I have been absolutely barred from access to any of my legal material and from performing any research or to file documents with any Citations/case law or to serve documents on opposing parties.

Date: May 22, 2000

Charles Leeley  
Charles Leeley